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September 10, 2018

Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: **Wireless Internet Service Providers Association**  
***Accelerating Wireless Broadband Deployment by Removing***  
***Barriers to Infrastructure Investment***  
**WT Docket No. 17-79**  
**Notice of Oral Ex Parte Communication**

Dear Ms. Dortch:

On September 7, 2018, Claude Aiken, President & CEO of the Wireless Internet Service Providers Association (“WISPA”), Ari Storch, WISPA’s consultant, and undersigned counsel to WISPA met with Chairman Ajit Pai and his Legal Advisor Jay Schwarz to discuss the modernization of the Commission’s Over-the-Air Reception Device (“OTARD”) rule<sup>1</sup> in the context of the above-referenced proceeding.<sup>2</sup>

We referenced WISPA’s August 31, 2018 written ex parte presentation in which WISPA asked the Commission to determine in its upcoming Declaratory Ruling and Third Report and Order that the OTARD rule should apply to all fixed wireless transmitters and receivers, so long as the equipment meets the existing size restrictions for customer-end equipment.<sup>3</sup> We explained that such action would provide greater flexibility for fixed wireless broadband providers that use “hub stations” located at or near consumers’ residences that both transmit and receive, and thus

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<sup>1</sup> 47 C.F.R. § 1.4000. The rule limits the size of antennas to one meter or less in diameter or diagonal measurement. *See* 47 C.F.R. § 1.4000(a)(1)(ii)(B).

<sup>2</sup> *Accelerating Wireless Broadband Deployment by Removing Barriers to Infrastructure Investment*, Notice of Proposed Rulemaking and Notice of Inquiry, 32 FCC Rcd 3330 (2017). A draft of the proposed Declaratory Ruling and Third Report and Order was made publicly available on September 5, 2016 and is expected to be considered at the Commission’s September 26, 2018 open meeting.

<sup>3</sup> *See* Letter from Claude Aiken, WISPA President/CEO, to Marlene H. Dortch, FCC Secretary, WT Docket No. 17-79 (filed Aug. 31, 2018).



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may be deemed to be outside the scope of the benefits the OTARD rule. This situation can be addressed by deleting “customer” from the first sentence of Section 1.4000(a)(2).

Pursuant to Section 1.1206 of the Commission’s Rules, this letter is being filed electronically via the Electronic Comment Filing System in the above-referenced proceeding.

Respectfully submitted,

/s/ Stephen E. Coran  
Stephen E. Coran

cc: The Honorable Ajit Pai  
Jay Schwarz